

**ORAL ARGUMENT SCHEDULED FOR MAY 16, 2025  
NOS. 25-5037, 25-5055, 25-5057**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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CATHY A. HARRIS, IN HER PERSONAL CAPACITY AND IN HER  
OFFICIAL CAPACITY AS MEMBER OF THE MERIT SYSTEMS  
PROTECTION BOARD,

*Plaintiff-Appellee,*

v.

SCOTT BESENT, IN HIS OFFICIAL CAPACITY AS SECRETARY OF THE  
TREASURY, *et al.*,

*Defendants-Appellants.*

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GWYNNE A. WILCOX,

*Plaintiff-Appellee,*

v.

DONALD J. TRUMP, IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE  
UNITED STATES, *et al.*,

*Defendants-Appellants.*

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On appeal from the United States District Court  
for the District of Columbia

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**NOTICE OF INTENT TO FILE BRIEF OF 253 MEMBERS OF  
CONGRESS AS *AMICI CURIAE* IN SUPPORT OF APPELLEES**

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**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure, *Amici Curiae* state that no party to this brief is a publicly held corporation, issues stock, or has a parent corporation.

**NOTICE OF INTENT AND REPRESENTATION OF  
CONSENT TO FILE BRIEF OF *AMICI CURIAE***

Pursuant to D.C. Circuit Rule 29 and the guidance set forth in Section IX.A.4 of the Court's Handbook of Practice and Internal Procedure, the 253 Members of Congress listed on the pages that follow hereby give notice that they intend to file a brief as *amici curiae* in support of Appellee Cathy A. Harris and Appellee Gwynne A. Wilcox. All parties have consented to the filing of this brief.

Dated: April 9, 2025

Respectfully submitted,

By: /s/ Anthony Schoenberg

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*\*Practicing under the direct supervision of members of the bar of the U.S. Court of Appeals for the D.C. Circuit while admission is pending.*

*Counsel for Amici Curiae*

**LIST OF AMICI CURIAE**

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| 1. <b>Jamie Raskin</b><br>Representative of Maryland               | 14. <b>Nanette Barragán</b><br>Representative of California    |
| 2. <b>Gerald E. Connolly</b><br>Representative of Virginia         | 15. <b>Joyce Beatty</b><br>Representative of Ohio              |
| 3. <b>Robert C. “Bobby” Scott</b><br>Representative of Virginia    | 16. <b>Wesley Bell</b><br>Representative of Missouri           |
| 4. <b>Hakeem Jeffries</b><br>Representative of New York            | 17. <b>Ami Bera, M.D.</b><br>Representative of California      |
| 5. <b>Katherine Clark</b><br>Representative of Massachusetts       | 18. <b>Donald S. Beyer Jr.</b><br>Representative of Virginia   |
| 6. <b>Pete Aguilar</b><br>Representative of California             | 19. <b>Sanford D. Bishop, Jr.</b><br>Representative of Georgia |
| 7. <b>Joe Neguse</b><br>Representative of Colorado                 | 20. <b>Suzanne Bonamici</b><br>Representative of Oregon        |
| 8. <b>Rosa L. DeLauro</b><br>Representative of Connecticut         | 21. <b>Brendan F. Boyle</b><br>Representative of Pennsylvania  |
| 9. <b>Alma S. Adams, Ph.D.</b><br>Representative of North Carolina | 22. <b>Shontel Brown</b><br>Representative of Ohio             |
| 10. <b>Gabe Amo</b><br>Representative of Rhode Island              | 23. <b>Julia Brownley</b><br>Representative of California      |
| 11. <b>Yassamin Ansari</b><br>Representative of Arizona            | 24. <b>Nikki Budzinski</b><br>Representative of Illinois       |
| 12. <b>Jake Auchincloss</b><br>Representative of Massachusetts     | 25. <b>Janelle Bynum</b><br>Representative of Oregon           |
| 13. <b>Becca Balint</b><br>Representative of Vermont               | 26. <b>Salud O. Carbajal</b><br>Representative of California   |

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| 27. <b>André Carson</b><br>Representative of Indiana                | 40. <b>Steve Cohen</b><br>Representative of Tennessee              |
| 28. <b>Troy A. Carter, Sr.</b><br>Representative of Louisiana       | 41. <b>Herbert C. Conaway, Jr.</b><br>Representative of New Jersey |
| 29. <b>Greg Casar</b><br>Representative of Texas                    | 42. <b>J. Luis Correa</b><br>Representative of California          |
| 30. <b>Ed Case</b><br>Representative of Hawaii                      | 43. <b>Jim Costa</b><br>Representative of California               |
| 31. <b>Sean Casten</b><br>Representative of Illinois                | 44. <b>Joe Courtney</b><br>Representative of Connecticut           |
| 32. <b>Kathy Castor</b><br>Representative of Florida                | 45. <b>Angie Craig</b><br>Representative of Minnesota              |
| 33. <b>Joaquin Castro</b><br>Representative of Texas                | 46. <b>Jasmine Crockett</b><br>Representative of Texas             |
| 34. <b>Sheila Cherfilus-McCormick</b><br>Representative of Florida  | 47. <b>Jason Crow</b><br>Representative of Colorado                |
| 35. <b>Judy Chu</b><br>Representative of California                 | 48. <b>Sharice Davids</b><br>Representative of Kansas              |
| 36. <b>Gilbert R. Cisneros, Jr.</b><br>Representative of California | 49. <b>Danny K. Davis</b><br>Representative of Illinois            |
| 37. <b>Yvette Clarke</b><br>Representative of New York              | 50. <b>Donald G. Davis</b><br>Representative of North Carolina     |
| 38. <b>Emanuel Cleaver, II</b><br>Representative of Missouri        | 51. <b>Madeleine Dean</b><br>Representative of Pennsylvania        |
| 39. <b>James E. Clyburn</b><br>Representative of South Carolina     | 52. <b>Diana DeGette</b><br>Representative of Colorado             |

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| <b>53. Suzan K. DelBene</b><br>Representative of Washington | <b>66. Bill Foster</b><br>Representative of Illinois              |
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| <b>55. Mark DeSaulnier</b><br>Representative of California  | <b>68. Lois Frankel</b><br>Representative of Florida              |
| <b>56. Maxine Dexter</b><br>Representative of Oregon        | <b>69. Laura Friedman</b><br>Representative of California         |
| <b>57. Debbie Dingell</b><br>Representative of Michigan     | <b>70. Maxwell Alejandro Frost</b><br>Representative of Florida   |
| <b>58. Lloyd Doggett</b><br>Representative of Texas         | <b>71. John Garamendi</b><br>Representative of California         |
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| <b>61. Adriano Espaillat</b><br>Representative of New York  | <b>74. Sylvia Garcia</b><br>Representative of Texas               |
| <b>62. Dwight Evans</b><br>Representative of Pennsylvania   | <b>75. Laura Gillen</b><br>Representative of New York             |
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| <b>65. Lizzie Fletcher</b><br>Representative of Texas       | <b>78. Vicente Gonzalez</b><br>Representative of Texas            |

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| <b>79. Maggie Goodlander</b><br>Representative of New Hampshire  | <b>92. Glenn F. Ivey</b><br>Representative of Maryland               |
| <b>80. Josh Gottheimer</b><br>Representative of New Jersey       | <b>93. Jonathan L. Jackson</b><br>Representative of Illinois         |
| <b>81. Adam Gray</b><br>Representative of California             | <b>94. Sara Jacobs</b><br>Representative of California               |
| <b>82. Al Green</b><br>Representative of Texas                   | <b>95. Pramila Jayapal</b><br>Representative of Washington           |
| <b>83. Josh Harder</b><br>Representative of California           | <b>96. Henry C. “Hank” Johnson, Jr.</b><br>Representative of Georgia |
| <b>84. Jahana Hayes</b><br>Representative of Connecticut         | <b>97. Julie Johnson</b><br>Representative of Texas                  |
| <b>85. Pablo José Hernández</b><br>Representative of Puerto Rico | <b>98. Sydney Kamlager-Dove</b><br>Representative of California      |
| <b>86. Jim Himes</b><br>Representative of Connecticut            | <b>99. Marcy Kaptur</b><br>Representative of Ohio                    |
| <b>87. Steven Horsford</b><br>Representative of Nevada           | <b>100. William Keating</b><br>Representative of Massachusetts       |
| <b>88. Chrissy Houlahan</b><br>Representative of Pennsylvania    | <b>101. Robin L. Kelly</b><br>Representative of Illinois             |
| <b>89. Steny H. Hoyer</b><br>Representative of Maryland          | <b>102. Timothy M. Kennedy</b><br>Representative of New York         |
| <b>90. Val Hoyle</b><br>Representative of Oregon                 | <b>103. Ro Khanna</b><br>Representative of California                |
| <b>91. Jared Huffman</b><br>Representative of California         | <b>104. Raja Krishnamoorthi</b><br>Representative of Illinois        |

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| <b>105. Greg Landsman</b><br>Representative of Ohio                | <b>118. Doris Matsui</b><br>Representative of California         |
| <b>106. John B. Larson</b><br>Representative of Connecticut        | <b>119. Lucy McBath</b><br>Representative of Georgia             |
| <b>107. George Latimer</b><br>Representative of New York           | <b>120. Sarah McBride</b><br>Representative of Delaware          |
| <b>108. Summer L. Lee</b><br>Representative of Pennsylvania        | <b>121. April McClain Delaney</b><br>Representative of Maryland  |
| <b>109. Susie Lee</b><br>Representative of Nevada                  | <b>122. Jennifer L. McClellan</b><br>Representative of Virginia  |
| <b>110. Teresa Leger Fernández</b><br>Representative of New Mexico | <b>123. Betty McCollum</b><br>Representative of Minnesota        |
| <b>111. Mike Levin</b><br>Representative of California             | <b>124. Kristen McDonald Rivet</b><br>Representative of Michigan |
| <b>112. Sam T. Liccardo</b><br>Representative of California        | <b>125. Morgan McGarvey</b><br>Representative of Kentucky        |
| <b>113. Ted W. Lieu</b><br>Representative of California            | <b>126. James P. McGovern</b><br>Representative of Massachusetts |
| <b>114. Zoe Lofgren</b><br>Representative of California            | <b>127. LaMonica McIver</b><br>Representative of New Jersey      |
| <b>115. Stephen F. Lynch</b><br>Representative of Massachusetts    | <b>128. Gregory W. Meeks</b><br>Representative of New York       |
| <b>116. Seth Magaziner</b><br>Representative of Rhode Island       | <b>129. Robert J. Menendez</b><br>Representative of New Jersey   |
| <b>117. John W. Mannion</b><br>Representative of New York          | <b>130. Grace Meng</b><br>Representative of New York             |



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| <b>131. Kweisi Mfume</b><br>Representative of Maryland         | <b>143. Eleanor Holmes Norton</b><br>Representative of the District of Columbia |
| <b>132. Dave Min</b><br>Representative of California           | <b>144. Alexandria Ocasio-Cortez</b><br>Representative of New York              |
| <b>133. Gwen S. Moore</b><br>Representative of Wisconsin       | <b>145. Johnny Olszewski</b><br>Representative of Maryland                      |
| <b>134. Joseph D. Morelle</b><br>Representative of New York    | <b>146. Ilhan Omar</b><br>Representative of Minnesota                           |
| <b>135. Kelly Morrison</b><br>Representative of Minnesota      | <b>147. Frank Pallone, Jr.</b><br>Representative of New Jersey                  |
| <b>136. Jared Moskowitz</b><br>Representative of Florida       | <b>148. Jimmy Panetta</b><br>Representative of California                       |
| <b>137. Seth Moulton</b><br>Representative of Massachusetts    | <b>149. Chris Pappas</b><br>Representative of New Hampshire                     |
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| <b>139. Kevin Mullin</b><br>Representative of California       | <b>151. Scott H. Peters</b><br>Representative of California                     |
| <b>140. Jerrold Nadler</b><br>Representative of New York       | <b>152. Brittany Pettersen</b><br>Representative of Colorado                    |
| <b>141. Richard E. Neal</b><br>Representative of Massachusetts | <b>153. Chellie Pingree</b><br>Representative of Maine                          |
| <b>142. Donald Norcross</b><br>Representative of New Jersey    | <b>154. Stacey E. Plaskett</b><br>Representative of the Virgin Islands          |

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| <b>155. Mark Pocan</b><br>Representative of Wisconsin           | <b>168. Mary Gay Scanlon</b><br>Representative of Pennsylvania    |
| <b>156. Nellie Pou</b><br>Representative of New Jersey          | <b>169. Jan Schakowsky</b><br>Representative of Illinois          |
| <b>157. Ayanna Pressley</b><br>Representative of Massachusetts  | <b>170. Bradley Scott Schneider</b><br>Representative of Illinois |
| <b>158. Mike Quigley</b><br>Representative of Illinois          | <b>171. Hillary J. Scholten</b><br>Representative of Michigan     |
| <b>159. Delia C. Ramirez</b><br>Representative of Illinois      | <b>172. Kim Schrier, M.D.</b><br>Representative of Washington     |
| <b>160. Emily Randall</b><br>Representative of Washington       | <b>173. David Scott</b><br>Representative of Virginia             |
| <b>161. Josh Riley</b><br>Representative of New York            | <b>174. Terri A. Sewell</b><br>Representative of Alabama          |
| <b>162. Luz M. Rivas</b><br>Representative of California        | <b>175. Brad Sherman</b><br>Representative of California          |
| <b>163. Deborah K. Ross</b><br>Representative of North Carolina | <b>176. Mikie Sherrill</b><br>Representative of New Jersey        |
| <b>164. Raul Ruiz</b><br>Representative of California           | <b>177. Lateefah Simon</b><br>Representative of California        |
| <b>165. Patrick K. Ryan</b><br>Representative of New York       | <b>178. Adam Smith</b><br>Representative of Washington            |
| <b>166. Andrea Salinas</b><br>Representative of Oregon          | <b>179. Eric Sorensen</b><br>Representative of Illinois           |
| <b>167. Linda T. Sánchez</b><br>Representative of California    | <b>180. Darren Soto</b><br>Representative of Florida              |

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| <b>181. Melanie A. Stansbury</b><br>Representative of New Mexico | <b>194. Rashida Tlaib</b><br>Representative of Michigan      |
| <b>182. Greg Stanton</b><br>Representative of Arizona            | <b>195. Jill Tokuda</b><br>Representative of Hawaii          |
| <b>183. Haley Stevens</b><br>Representative of Michigan          | <b>196. Paul D. Tonko</b><br>Representative of New York      |
| <b>184. Marilyn Strickland</b><br>Representative of Washington   | <b>197. Norma J. Torres</b><br>Representative of California  |
| <b>185. Suhas Subramanyam</b><br>Representative of Virginia      | <b>198. Ritchie Torres</b><br>Representative of New York     |
| <b>186. Thomas R. Suozzi</b><br>Representative of New York       | <b>199. Lori Trahan</b><br>Representative of Massachusetts   |
| <b>187. Eric Swalwell</b><br>Representative of California        | <b>200. Derek T. Tran</b><br>Representative of California    |
| <b>188. Emilia Strong Sykes</b><br>Representative of Ohio        | <b>201. Lauren Underwood</b><br>Representative of Illinois   |
| <b>189. Mark Takano</b><br>Representative of California          | <b>202. Juan Vargas</b><br>Representative of California      |
| <b>190. Shri Thanedar</b><br>Representative of Michigan          | <b>203. Gabe Vasquez</b><br>Representative of New Mexico     |
| <b>191. Bennie G. Thompson</b><br>Representative of Mississippi  | <b>204. Marc Veasey</b><br>Representative of Texas           |
| <b>192. Mike Thompson</b><br>Representative of California        | <b>205. Nydia M. Velázquez</b><br>Representative of New York |
| <b>193. Dina Titus</b><br>Representative of Nevada               | <b>206. Eugene Vindman</b><br>Representative of Virginia     |

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| <b>207. Debbie Wasserman Schultz</b><br>Representative of Florida | <b>220. Tammy Baldwin</b><br>Senator from Wisconsin        |
| <b>208. Maxine Waters</b><br>Representative of California         | <b>221. Brian Schatz</b><br>Senator from Hawaii            |
| <b>209. Bonnie Watson Coleman</b><br>Representative of New Jersey | <b>222. Gary C. Peters</b><br>Senator from Michigan        |
| <b>210. George T. Whitesides</b><br>Representative of California  | <b>223. Angela Alsobrooks</b><br>Senator from Maryland     |
| <b>211. Nikema Williams</b><br>Representative of Georgia          | <b>224. Michael F. Bennet</b><br>Senator from Colorado     |
| <b>212. Frederica S. Wilson</b><br>Representative of Florida      | <b>225. Richard Blumenthal</b><br>Senator from Connecticut |
| <b>213. Charles E. Schumer</b><br>Senator from New York           | <b>226. Lisa Blunt Rochester</b><br>Senator from Delaware  |
| <b>214. Elizabeth Warren</b><br>Senator from Massachusetts        | <b>227. Maria Cantwell</b><br>Senator from Washington      |
| <b>215. Cory A. Booker</b><br>Senator from New Jersey             | <b>228. Christopher A. Coons</b><br>Senator from Delaware  |
| <b>216. Richard J. Durbin</b><br>Senator from Illinois            | <b>229. Tammy Duckworth</b><br>Senator from Illinois       |
| <b>217. Amy Klobuchar</b><br>Senator from Minnesota               | <b>230. John Fetterman</b><br>Senator from Pennsylvania    |
| <b>218. Mark R. Warner</b><br>Senator from Virginia               | <b>231. Ruben Gallego</b><br>Senator from Arizona          |
| <b>219. Bernard Sanders</b><br>Senator from Vermont               | <b>232. Kirsten E. Gillibrand</b><br>Senator from New York |

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| <b>233. Margaret Wood Hassan</b><br>Senator from New Hampshire | <b>244. Jack Reed</b><br>Senator from Rhode Island          |
| <b>234. Martin Heinrich</b><br>Senator from New Mexico         | <b>245. Jacky Rosen</b><br>Senator from Nevada              |
| <b>235. John W. Hickenlooper</b><br>Senator from Colorado      | <b>246. Adam B. Schiff</b><br>Senator from California       |
| <b>236. Mazie K. Hirono</b><br>Senator from Hawaii             | <b>247. Jeanne Shaheen</b><br>Senator from New Hampshire    |
| <b>237. Tim Kaine</b><br>Senator from Virginia                 | <b>248. Elissa Slotkin</b><br>Senator from Michigan         |
| <b>238. Andy Kim</b><br>Senator from New Jersey                | <b>249. Chris Van Hollen</b><br>Senator from Maryland       |
| <b>239. Ben Ray Luján</b><br>Senator from New Mexico           | <b>250. Raphael G. Warnock</b><br>Senator from Georgia      |
| <b>240. Edward J. Markey</b><br>Senator from Massachusetts     | <b>251. Peter Welch</b><br>Senator from Vermont             |
| <b>241. Jeff Merkley</b><br>Senator from Oregon                | <b>252. Sheldon Whitehouse</b><br>Senator from Rhode Island |
| <b>242. Patty Murray</b><br>Senator from Washington            | <b>253. Ron Wyden</b><br>Senator from Oregon                |
| <b>243. Alex Padilla</b><br>Senator from California            |   |

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the appellate CM/ECF system on April 9, 2025.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Executed this 9th day of April, 2025.

By: /s/ Anthony Schoenberg  
Anthony Schoenberg  
*Counsel for Amici Curiae*